

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

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v.

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CR 111-275

TIQUELA N. MURRAY

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FINAL ORDER OF FORFEITURE

The United States of America has moved this Court for entry of a Final Order of Forfeiture against the below-described property which Defendant Tiquela N. Murray has agreed to forfeit to the United States:

1. \$24,554 in U.S. Currency;
2. An Acer Aspire Laptop Computer, Model 5742-7620;
3. A Compaq Presario Desktop Computer, Model SR191ONX;
4. A Compaq Presario Laptop Computer, Model CQ56-219WM;
5. A Magnetic Stripe Card Reader/Writer, Model MSR805; and
6. A Samsung LED Television, Series 5000;

(collectively, "the Subject Property"), as property derived from or used to commit or to facilitate the commission of the offense to which she pled guilty.

After a careful review of the record in this case, the Court finds as follows:

On July 13, 2011, a Federal Grand Jury sitting in the Southern District of Georgia returned a four count Indictment against Defendant Tiquela N. Murray ("Defendant"). (Doc. 1)

The Indictment sought forfeiture pursuant to 18 U.S.C. §§ 982(a)(2)(b) and 1029(c)(1)(C), which allows for the forfeiture of any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the violations set forth in Counts One through Three of the Indictment; as well as any personal property used or intended to be used to commit the offenses set forth in Counts One through Three of the Indictment. (Id.)

Defendant pled guilty pursuant to a written plea agreement to Count One of the Indictment, charging her with Conspiracy in violation of 18 U.S.C. §§ 371 and 1029(b)(2). (Doc. 28.) Pursuant to her plea agreement, Defendant agreed to forfeit the Subject Property to the United States. (Doc. 29.)

Defendant agreed to waive the provisions of the Federal Rules of Criminal Procedure 7(c)(2), 32.2, and 43(a) with respect to notice in the Indictment that the Government would seek forfeiture as part of any sentence in this case, and agreed that entry of this order shall be made a part of the sentence in or out of the presence of Defendant and be included in the judgment in this case without further order of the Court. (Id.)

On June 19, 2013, this Court entered a Consent Order of Forfeiture as to the Subject Property, and provided notice of that

Order to potential claimants, including David M. Hayden, of their right to make a claim against any of the Subject Property in an ancillary proceeding. (Doc. 31.)

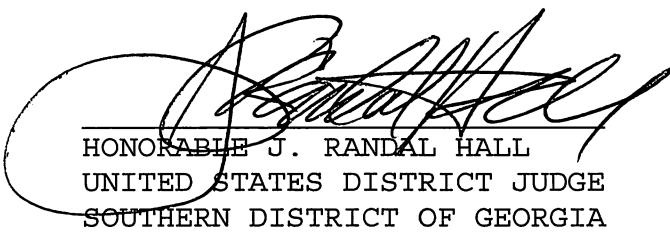
On September 30, 2013, Hayden filed a petition in this case in which he claimed an interest in \$9,800 of the \$24,554 of the Subject Property. (Doc. 33.) On March 6, 2014, the Court granted the Government's motion for discovery in the ancillary proceeding to determine the extent of Hayden's interest in the \$9,800. (Doc. 55.) On May 16, 2014, the Court granted the Government's motion for an extension of the discovery period. (Doc. 59.) On January 29, 2015, the Court granted the Government's motion to dismiss Hayden's petition, finding that Hayden failed to respond to two different discovery requests by the Government, and that Hayden failed to respond to the Government's motion to dismiss. (Doc. 63.)

The Government now requests a Final Order of Forfeiture which would allow it to dispose of the Subject Property. For the reasons noted herein, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

Pursuant to 18 U.S.C. § 982(a)(2)(b), 18 U.S.C. § 1029(c)(1)(C), 18 U.S.C. § 3554, 28 U.S.C. § 2461(c), and Rules 32.2(b) and (c), Federal Rules of Criminal Procedure, the Subject Property is hereby **FORFEITED** to the United States, which shall have clear title to the Subject Property. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary.

The Clerk of the Court shall **FORWARD** two certified copies of this order to the United States Attorney's Office for the Southern District of Georgia, P.O. Box 8970, Savannah, Georgia 31412.

ORDER ENTERED at Augusta, Georgia, this 17th day of June, 2015.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA